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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

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JOHN INSIXIENGMY,  Plaintiff,  v.  WELLS FARGO, SALT LAKE COUNTY, IC SYSTEM, and SALT LAKE CITY CORPORATION,  Defendants.	REPORT AND RECOMMENDATION  Case No. 2:16-cv-01226-DN-DBP  District Judge David Nuffer  Magistrate Judge Dustin B. Pead
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This matter was referred to Magistrate Judge Dustin Pead by Chief District Judge David Nuffer pursuant to 28 U.S.C. § 636(b)(1)(B). (ECF No. 5.) On December 5, 2016, Plaintiff filed his Complaint against Defendants. (ECF No. 3.) Pursuant to Federal Rule of Civil Procedure 4(m), Defendants should have been served a summons and complaint within 90 days after the complaint was filed. To date, more than 90 days have passed since Plaintiff filed his Complaint; however, Plaintiff has not provided the court with proof of service on Defendants and has not filed any motion regarding service of process. *See* Fed. R. Civ. P. 4(l)(1); 28 U.S.C. § 1915(d).

On August 17, 2017, the court ordered Plaintiff to show cause why this action should not be dismissed for failure to prosecute based on the above facts. (ECF No. 7.) The court warned Plaintiff that failure to respond would result in dismissal of this case. (*Id.*) Plaintiff did not respond to the court's order.

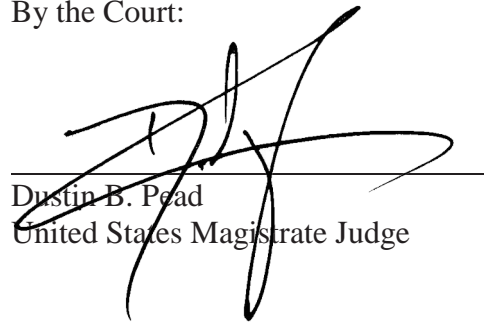
**RECOMMENDATION**

Based on Plaintiff's failure to prosecute this case, the court **RECOMMENDS** the District Court **DISMISS** this case without prejudice.

Copies of the foregoing Report and Recommendation are being sent to all parties who are hereby notified of their right to object. Within **fourteen (14) days** of being served with a copy, any party may serve and file written objections. *See* Fed. R. Civ. P. 72(b)(2). Failure to object may constitute a waiver of objections upon subsequent review.

Dated this 6th day of September 2017.

By the Court:



Dustin B. Pead  
United States Magistrate Judge